

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-11 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

The title of the invention was objected to for not being descriptive. In response, Applicant has replaced the title with a new title that is clearly indicative of the invention to which the claims are directed. Therefore, Applicant believes this object has been overcome.

The specification was objected to for an informality that the term "voice recognition" should be changed to "speech recognition." Applicant respectfully disagrees for the following reasons and therefore traverses this objection. The term "voice" as used in the present invention is intended to include more than just "speech." Specifically, as discussed on pages 24-25 of the specification and shown in Figure 7, the term "voice recognition" may include recognition of the individual speaker (e.g. the robot could recognize the distinctive voice patterns of its owner) based on acoustic characteristics, acoustic modeling, linguistic scores, and grammar. Also, note

the term "speech" is used, when appropriate, throughout the specification to indicate a narrower form of recognition. Further, an applicant may be his own lexicographer as long as the chosen words are not repugnant to the commonly accepted usage. MPEP 2173.05(a) In the instant case, Applicant believes the term "voice recognition" is correctly used, and this objection should be withdrawn.

Claims 1-11 were objected to because of an informality. However, as discussed above, Applicant believes the term "voice" is appropriate and believes this objection should be withdrawn.

Claims 1-2 and 10-11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 7, and 10-11 of co-pending U.S. Patent application 09/723,813. As noted by the Examiner, a timely filed terminal disclaimer may be used to overcome the provisional double patenting rejections provided the conflicting application for patent is shown to be commonly owned with the present application. The conflicting application is commonly owned with the present application. However, it is not clear whether following prosecution the allowable claims from the present application will be obvious in view of the allowable claims in co-pending U.S. Patent application 09/723,813. Hence, Applicant agrees to file a terminal disclaimer if the allowable claims in the application are found to be obvious at the time of issuance of U.S. Patent application 09/723,813.

Claims 1-3 and 9-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sadakuni (U.S. Patent 6,446,056). However, the present invention processes an input voice "in

accordance with a growth state of said robot.” (Claims 1, 10, and 11) As shown in Figure 5, the “growth state is comprised of a plurality of nodes corresponding to increasing maturity levels for said robot.” (Claim 2) In this manner, the ability of the robot to recognize voices, and more specifically speech commands, will improve as the robot matures and learns. By contrast, Sadakuni uses an emotion generating unit and a concern generating unit to assist in recognition. (Figure 1) Sadakuni does not disclose the use of growth states or an equivalent to the nodes of the present invention’s growth model in interpreting and responding to a voice input. Accordingly, for at least this reason, Sadakuni fails to anticipate the present invention and the rejected claims should now be allowed.

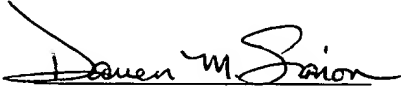
Claims 4-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sadakuni in view of Gupta (U.S. Patent 6,243,680) However, the Examiner relies on Gupta solely to meet the present invention’s dictionary storage means limitations. Accordingly, for the previously discussed reasons, the combination of Sadakuni and Gupta fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Darren M. Simon
Reg. No. 47,946
(212) 588-0800